

Samoa Protection Working Group

Terms of Reference

1. Background

On 29 September 2009, a powerful earthquake occurred off the coast of Samoa generating a tsunami to form and hit the south coast of Samoa causing the deaths of 143 people, and injuries to 310 people, as well as massive destruction of the environment, property and infrastructure.

In support of the response provided by the Samoan Government, national non-governmental organisations, the churches and the communities, the cluster system was rolled out under the leadership of the UN Resident Coordinator in Samoa. Seven clusters were established: Health, WASH, Logistics, Information Management, Education, Early Recovery and Protection. This was the first time that a cluster system was formally activated in the, and it has proven a useful mechanism to coordinate all protection interventions during the emergency phase.

Six months after the earthquake and tsunami, the situation in various affected areas has already transitioned from emergency relief towards early recovery and development. Building on the constructive experience of the Protection Cluster, there is an opportunity to establish a national Protection Working Group (PWG) to coordinate protection activities in Samoa.

2. Definition of Protection

Protection is widely recognized and defined as *all activities aimed at ensuring full respect for the rights of the individual* in accordance with relevant bodies of law, relevant international human rights obligations applicable to the Government of Samoa, and the relevant national legislation.

3. Roles and responsibilities

The primary responsibility for protection of individuals in situations of disaster lies with the Government of Samoa. The Samoan Red Cross Society, national and local non-governmental organisations, the churches and a wide array of civil society actors play an essential role in providing support to public authorities and assistance to affected communities.

Where national capacity is overwhelmed, the international community stands ready to assist the Government of Samoa to fulfil its responsibilities. In particular, protection-mandated agencies will support the government to enhance its capacity to prevent circumstances that may lead to protection problems, and to respond and mitigate the effect of any protection issues that do arise.

4. Goal and objectives

Goal

The Protection Working Group will serve as a national platform to share, discuss and coordinate protection-related issues and activities in Samoa. It aims at raising awareness on protection, increasing information sharing on protection, enhancing capacity of all stakeholders involved in protection, and actively disseminating protection legal frameworks and standards. To achieve this, the Protection Working Group will emphasize the need for community-based approaches and will prioritize a strong relationship with communities.

Objectives

The Protection Working Group will specifically work towards two key objectives:

- Develop knowledge and understanding of protection in Samoa through advocacy, awareness raising, capacity building and technical advice for relevant stakeholders;
- Play an active role in the national disaster management organisation and help review the disaster management plan to ensure the integration and mainstreaming of Protection;

5. Lead Agency, Membership, Focal Point Agencies

Lead Agency

The Ministry of Women, Community and Social Development is the designated Lead Agency of the Samoa Protection Working Group, and its CEO is the chair.

Membership

The Protection Working Groups comprises representatives of national ministries, UN agencies, international and national non-governmental organisations, the International Federation of the Red Cross, the Samoa Red Cross Society, and other organisations with a focus on protection.

Focal Point / Support Agencies

Based on the national disaster management organisational structure and emergency response structure, Focal Point / Support Agencies are identified to provide advice and technical support to Lead Agencies on specific protection areas, as listed in the table in annex.

6. Emergency provisions

In the event of an emergency, the national Protection Working Group will be responsible for the coordination of all protection response interventions within the national disaster and emergency response structure. If a cluster system is rolled out, the Protection Working Group will serve as a basis for the activation of a protection cluster. The regional level Pacific Humanitarian Protection Cluster may deploy, in consultation with national stakeholders, a Protection Emergency Team to support the Samoa Protection Working Group for the coordination of the protection response.

7. Administration

Working Principles

Members of the national Protection Working Group will be respectful of each other's mandates and recognise that all members have different areas of expertise and operational capacities. All activities will be conducted in a transparent and sensitive manner. The highest standards of consent and confidentiality must be adhered to in all management of information going through the national Protection Working Group membership.

Meetings

The CEO of the Ministry of Women, Community and Social development chairs meetings of the national Protection Working Group, and if not available, another working group member will be designated to chair. Meeting's date, time and venue are agreed upon by members each time they meet. Regular meetings will be held every 2 months and extraordinary meetings on ad hoc basis.

Discussion on agenda's and proposed discussions will be based on inputs from members of the Protection Working Group. The Lead Agency may also be required to carry out secretariat duties for the Protection Working Group, including duties such as preparing draft meeting minutes and circulating them to all members of the Protection Working Group and the chair of the PHPC.

Liaison and coordination

The Lead Agency will ensure liaison and coordination between the national Protection Working Group and relevant stakeholders through its participation in the national disaster management organisational structure and other relevant committees and forums.

[DRAFT] Annex: Protection Focal Points / Support Agencies

Human rights	Response sector	Lead Agency	Role	Protection area	Protection Focal Points / Support Agencies	Functions	
Protection of Life, Security, Physical Integrity and Dignity	Evacuation and Registration of evacuees	Ministry of Police, Prisons & Fire services Village Councils	Evacuate areas required for public safety	Evacuation and other life-saving measures			
			Identify and record information about people affected by emergency				
	Safety and security during evacuation and at the evacuation sites/centres	Ministry of Police, Prisons & Fire services	Ensure safety and security of evacuees and internally displaced persons				Protection against violence, including gender-based violence
	Land search and rescue	Ministry of Police, Prisons & Fire services	Coordinate search and rescue activities for people missing on land				Protection against the negative impacts of natural hazards
	Maritime search and rescue	Ministry of Works Transport & Infrastructure – Maritime	Coordinate maritime search and rescue				
	First aid	Samoa Red Cross Society	Provide first aid training and first aide services to injured people				
	Transport and movement of casualties	Ministry of Health	Coordinate ambulance services				

Protection of Rights Related to Basic Needs	Temporary shelter		Establish shelters for evacuees	Provision of adequate food, water and sanitation, shelter, clothing and essential health services and Psycho-social support		
	Disaster Food		Provide emergency food supplies			
	Disaster Clothing		Provide emergency clothing			
	Counselling and support	Ministry of Health	Provide psycho-social support services to those affected by the emergency			
Protection of Social, Economic and Cultural Rights		Ministry of Education		Education		
				Land/Property		
				Housing		
				Livelihood		
Protection of Civil and Political Rights				Documentation		
				Freedom of movement and right to return		
	Family tracing & reunification		Take measures to re-establish contacts between members of families that have been separated during the disaster, and to reunite them without delay, particularly	Family life and missing or dead relatives		

			when children are involved.			
	Management of deceased victims	Ministry of Police, Prisons & Fire services				
	Mortuary services	Ministry of Justice (coroner)	Provide mortuary services			
			Establish mechanisms to enable communities to give feedback and raise complaints or grievances on the disaster response.	Freedom of expression		
			Issue voter's cards and voters registration for displaced persons	Electoral rights		